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July 1, 2002

FILE: 4001.002282

CERTIFICATE OF MAILING  
37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:

July 1, 2002

Date

Shelley P.M. Fussey

Assistant Commissioner for Patents  
Washington, DC 20231

RE: *U.S. Patent Application Serial No. 09/351,862; Entitled "Cancer Treatment Kits Using Antibodies to Aminophospholipids"; Inventors: Thorpe and Ran; Client Reference: UTSMC/DAL:549--1*

Sir:

Enclosed for filing in the above-referenced patent application is:

- (1) A Supplemental Information Disclosure Statement, PTO Form 1449 and copy of Reference A23; and
- (2) A return postcard listing these materials; please date stamp and return the postcard evidencing receipt of these materials.

WILLIAMS, MORGAN & AMERSON, P.C.

Assistant Commissioner for Patents

July 1, 2002

Page 2

No fees are believed to be due in connection with the filing of these materials, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason, the Assistant Commissioner is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4001.002282.

Respectfully submitted,



Shelley P.M. Fussey, Ph.D.

Reg. No. 39,458

Patent Agent

Encls.



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Philip E. Thorpe and Sophia Ran

Serial No.: 09/351,862

Filed: July 12, 1999

For: CANCER TREATMENT KITS USING  
ANTIBODIES TO  
AMINOPHOSPHOLIPIDS

Group Art Unit: 1619

Examiner: Sharareh, S.

Atty. Dkt. No.: 4001.002282

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the document listed on attached Form PTO-1449 be considered by the Examiner and made of record in the present case. A copy of the listed document required by 37 C.F.R. § 1.98(a)(2) is enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

First and second Non-Final Official Actions on the merits have been received in the present application. However, this Supplemental Information Disclosure Statement is being filed prior to the mailing of a final Official Action, notice of allowance or an Action that closes prosecution, and is timely filed in accordance with 37 C.F.R. § 1.97(c) without a fee in light of the following information.

In accordance with 37 C.F.R. § 1.97(e)(2), the listed U.S. patent was not cited in a communication from a foreign patent office in a counterpart foreign application. This patent issued on June 18, 2002, and could not have been submitted prior to that date. As the application from which the patent issued has been disclosed to the Office, the patent is believed to be cumulative over the co-pending application of record. The patent issued from a co-pending application that has the same effective filing date as the present case, and so cannot be considered as "prior".

No fees should be due in connection with the filing of this Supplemental Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary, the Examiner should contact the undersigned representative to discuss deduction from Williams, Morgan & Amerson Deposit Account No. 50-0786/4001.002282.

Respectfully submitted,



Shelley P.M. Fussey  
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Agent for Applicants

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